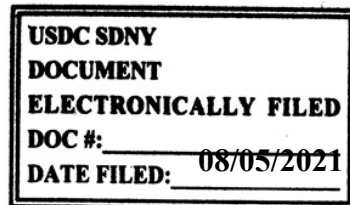




THE CITY OF NEW YORK  
LAW DEPARTMENT

100 CHURCH STREET  
NEW YORK, NY 10007

GEORGIA M. PESTANA  
Corporation Counsel



**MEMO ENDORSED**

ROBERT WENNEMER  
Assistant Corporation Counsel  
Office: (212) 356-2331  
Cell: (929) 486-5821  
Fax: (212) 356-3509  
Email: [rwenneme@law.nyc.gov](mailto:rwenneme@law.nyc.gov)

August 5, 2021

**VIA ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**APPLICATION GRANTED:** The Clerk of Court is requested to mail a copy of this endorsement to the Plaintiff.

**APPLICATION GRANTED**

Hon. Katharine H. Parker, U.S.M.J.

08/05/2021

Re: Alexander Williams, Jr. v. City of New York, et al.,  
21 Civ. 1083 (PGG) (KHP)

Your Honor:

I am the Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York ("Office"), assigned to the defense of the above-referenced matter. I write on behalf of defendant City of New York (the "City") to respectfully request that defendants<sup>1</sup> be permitted to file a Motion to Dismiss in this matter by September 27, 2021 and that discovery be stayed pending the resolution of this motion.

By way of brief background, on May 10, 2021, the Court accepted Alexander Williams, Jr.'s ("plaintiff") Second Amended Complaint as the operative pleading in this matter and stayed discovery pending the Court's review of the Second Amended Complaint pursuant to 28 U.S.C. § 1915 ("Section 1915"). (See Dkt. No. 47). On July 29, 2021, the Court completed its Section 1915 review and issued a Report and Recommendation that recommended dismissal of sixteen (16) defendants. (See Dkt. No. 60).

The instant action has been accepted as related to two (2) other cases currently pending before the Court: *Johmanni Anduze v. City of New York, et al.*, 21 Civ. 519 (PGG) (KHP), and *Gabriel Flores v. City of New York, et al.*, 21 Civ. 1680 (PGG) (KHP). (See Dkt. No. 42). On August 3, 2021, at the Initial Pretrial Conferences of the *Anduze* and *Flores* matters, the Court ordered that defendants' Motion to Dismiss be filed by September 27, 2021, plaintiffs' Opposition be due by November 12, 2021, and defendants' Reply be due by November 30, 2021. The Court

<sup>1</sup> Although this Office has not yet made representation determinations with respect to the individual defendants in this matter, the City writes on behalf of the individual defendants as a party-in-interest.

further ordered that discovery is stayed in these two (2) related cases pending the outcome of defendants' motion. (See Anduze Dkt. No. 22 & Flores Dkt. No. 23).

As the three (3) related cases at issue have many overlapping defendants and claims due to the plaintiffs' assertions that their constitutional rights have been violated by way of the alleged enforcement of Command Level Order 370.20, the City respectfully requests that the Court adopt the same briefing schedule for the instant action that has been issued in the *Anduze* and *Flores* matters. Accordingly, the City respectfully requests that defendants' Motion to Dismiss be due by September 27, 2021, plaintiff's Opposition be due by November 12, 2021, and the City's Reply be due by November 30, 2021. The City further respectfully requests that discovery be stayed in this matter pending the resolution of this motion.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Robert Wennemer, Esq.

Robert Wennemer  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Alexander Williams, Jr. (via First-Class Mail)  
Plaintiff Pro Se  
NYSID: 01897858L  
B&C No. 1411801632  
George R. Vierno Center  
09-09 Hazen Street  
East Elmhurst, NY 11370